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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,783	02/28/2002	Hongwei Zhang	4231/2002

29933
PALMER & DODGE, LLP
KATHLEEN M. WILLIAMS
111 HUNTINGTON AVENUE
BOSTON, MA 02199

Docket # Doreen
Response due Missing Parts
Statutory period 7/17/02 (1/17/03)
Palmer & Dodge LLP Final
Patent Department

CONFIRMATION NO. 8718
FORMALITIES LETTER



000000008148465*

Date Mailed: 05/17/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 111 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer

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readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65 Late oath or declaration Surcharge.**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Docket No.: 4231/2002 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*MPB
box say*

Application of: Zhang et al.
Serial No.: 10/085,783
Filed: February 28, 2002
Entitled: Composition and Methods Relating to
 Osteoarthritis

Examiner: Not yet assigned
Group Art Unit: 1615
Conf. No.: 8718

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Box: Missing Parts, Commissioner for Patents, Washington, DC 20231.

Elizabeth N. Spar

Name of Person Mailing Paper

Elizabeth N. Spar

Signature of Person Mailing Paper

BOX: MISSING PARTS
Commissioner for Patents
Washington, DC 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts - Part 2, mailed May 17, 2002;
3. Three (3) identical copies of CD-ROM containing sequence listing in IBM-PC, MS-Windows format. Each CD-ROM contains an ASCII file named "US_10_085783_Sequence_listing_txt" of 30,269,102 bytes;
4. Statement Under 37 C.F.R. § 1.821(f);
5. Petition for three (3) months Extension of Time;
6. Executed Declaration and Power of Attorney;
7. (664) sheets of informal drawings of Figs 1-19;
8. Check in the amount of \$525 the requisite fee; and
9. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No.4231/2002. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: October 16 , 2002

Elizabeth N. Spar Reg 45,123

Name: Kathleen M. Williams
Registration No.: 34, 380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100



Atty. Docket No.: 4231/2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Zhang et al.	Examiner:	Not yet assigned
Serial No.:	10/085,783	Group Art Unit:	1615
Filed:	February 28, 2002	Conf. No.:	8718
Entitled:	Composition and Methods Relating to Osteroarthritis		

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Box: Missing Parts, Commissioner for Patents, Washington, DC 20231.

Elizabeth N. Spar

Name of Person Mailing Paper

Elizabeth N. Spar

Signature of Person Mailing Paper

BOX: MISSING PARTS
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

This is filed in response to the Notice to File Missing Parts of Nonprovisional Application mailed in the above-identified patent application on May 17, 2002.

Amendment

1. Pursuant to C.F.R. 1.52(e)(5), please insert the following paragraph after the last paragraph on page 90, before "References":

"Three identical copies of CD-ROMs, each of which contains the sequence listing in a ASCII file named "US_10_085783_Sequence_listing.txt" of 30,269,102 bytes, are submitted in the present application to comply with the sequence listing requirements of 37 C.F.R. §1.821-1.825. The material on the CD-ROM is incorporated by reference in its entirety."

2. Please treat the previously submitted CD-ROMs for Figures 14 and 14A as exhibits and replace the previously submitted CD-ROMs for Figure 14 and 14A with the CD-ROM containing the sequence listing.

Remarks

1. The Notice states that the Oath or Declaration is missing. An executed copy of a combined Declaration and Power of Attorney is enclosed in satisfaction of this requirement.

2. The Notice states that the \$65 surcharge for late filing of an Oath or Declaration must be paid in compliance with 37 C.F.R. 1.27. A check covering this fee is enclosed in satisfaction of this requirement.

3. The Notice states that the drawings submitted does not meet the drawing margin requirements. Applications have adjusted the margins of the drawings to comply wit 37 C.F.R. 1.84. A copy of the figures with adjusted margins is enclosed.

4. The Notice states that the application fails to comply with the Sequence Listing requirements of 37 C.F.R. §§1.821-1.825. Three copies of Sequence Listing in CD-ROM form accompany this response in satisfaction of this requirement pursuant to 37 C.F.R. 1.52. The three copies are labeled as "CFR copy", "copy 1" and "copy 2" respectively. Applicants submit that the sequence listings on all three CD-ROMs are in compliance with ASCII in IBM-PC machine format which is compatible with MS-windows operating system. The content of each CD-ROM submitted is identical. No new matter is added.

Respectfully submitted,

Date: October 16 , 2002

Kathleen M. Williams Reg#45,123 fr

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